

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA and STATE  
OF NEW YORK *ex rel.* CAROL  
BEVILACQUA,

Plaintiffs,

v.

14 Civ. 9933 (KPF)

CITY PRACTICE GROUP OF NEW YORK, LLC,  
et al.,

Defendants.

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UNITED STATES OF AMERICA,

Plaintiff-Intervenor,

v.

CITY PRACTICE GROUP USA, LLC,

Defendant.

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~~[PROPOSED]~~ ORDER

WHEREAS, by notice dated April 26, 2018, the United States of America intervened, in part, in the above-captioned *qui tam* action pursuant to the False Claims Act, 31 U.S.C. §§ 3730(b)(2) and (4);

WHEREAS, by notice dated April 26, 2018, the State of New York intervened, in part, in the above-captioned *qui tam* action pursuant to the New York False Claims Act, N.Y. State Fin. Law § 190(2)(c)(ii);

WHEREAS the United States and City Practice Group USA, LLC have entered into a Stipulation of Settlement and Dismissal dated May 2, 2018, resolving alleged violations of the False Claims Act, as amended, 31 U.S.C. §§ 3729 – 3733;

IT IS HEREBY ORDERED that:

1. The seal shall be lifted as to this Order and any matter occurring in this action on or subsequent to the date of this Order.
2. All documents filed in this action before the date of this Order shall remain under seal and shall not be made public, except as provided for in Paragraphs 3 and 4 below.
3. The seal shall be lifted as to the United States' Notice of Partial Intervention, filed on or about April 26, 2018, and the State of New York's Notice of Intention to Intervene in Part of the Qui Tam Case, filed on or about April 26, 2018 (the "State's Notice of Intervention").
4. The seal shall be lifted as to the relator's complaint filed on or about December 17, 2014 ("Relator's Complaint"), and relator's amended complaint filed on or about August 11, 2015, (Relator's Amended Complaint"). However, exhibits E, I, J, K, L, O, P, R, T, V, W, X, BB, CC, DD, and EE to Relator's Complaint shall remained sealed as they contain information that is protected from disclosure by the Health Insurance Portability and Accountability Act. Relator is directed to electronically file redacted copies of exhibits E, I, J, K, L, O, P, R, T, V, W, X, BB, CC, DD, and EE within 14 days of the date of this Order.
5. Within 20 days from the date of this Order, the State of New York shall file with the Court a notice of dismissal pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, or serve the Relator's Amended Complaint, or any superseding complaint, on any defendant that the State of New York has intervened against as set forth in the State's Notice of Intervention.

6. Within 30 days from the date of this Order, Relator shall file a notice of dismissal pursuant to Rule 41(a) of the Federal Rules of Civil Procedure or serve the Relator's Amended Complaint on any defendants not released by the United States' Stipulation of Settlement and Dismissal or the State of New York's notice of dismissal, if such a notice is filed by the State of New York.

SO ORDERED:

*Katherine P. Failla*  
HONORABLE KATHERINE P. FAILLA  
United States District Judge

Dated: May 3, 2018  
New York, New York

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